

House Bill 1452

By: Representative Gaines of the 120th

A BILL TO BE ENTITLED
AN ACT

1 To amend Code Section 20-2-152 of the Official Code of Georgia Annotated, relating to
2 special education services, so as to provide for annually increasing the maximum age of
3 eligibility for certain state funded special education programs to 30 years of age for the
4 2032-2033 school year and thereafter; to provide for students to remain eligible for certain
5 special education programs for the remainder of a current school year; to condition student
6 eligibility for certain special education programs after their twenty-third birthday on previous
7 enrollment in a Georgia public school; to provide for related matters; to repeal conflicting
8 laws; and for other purposes.

9 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

10 SECTION 1.

11 Code Section 20-2-152 of the Official Code of Georgia Annotated, relating to special
12 education services, is amended by adding a new subsection to read as follows:

13 "(a.2)(1) Subject to the provisions of paragraph (2) of this subsection, the criteria adopted
14 by the state board to determine the eligibility of individuals for state funded special
15 education programs provided for in paragraphs (1) through (5) of subsection (d) of this
16 Code section shall designate the maximum age of eligibility for such programs as 22

17 years of age for the 2024-2025 school year; as 23 years of age for the 2025-2026 school
18 year; as 24 years of age for the 2026-2027 school year; and so on for each subsequent
19 school year, until the maximum age of eligibility for such programs is designated as 30
20 years of age for the 2032-2033 school year and continuing as such for each school year
21 thereafter; provided, however, that any individual who is eligible for such programs
22 pursuant to this subsection shall continue to be eligible for the remainder of the current
23 school year, notwithstanding such individual's date of birth.

24 (2) For an individual to be eligible for state funded special education programs provided
25 for in paragraphs (1) through (5) of subsection (d) of this Code section after his or her
26 twenty-third birthday, he or she shall have been enrolled and reported by a public school
27 in this state for funding purposes during the two most recent full-time equivalent (FTE)
28 program counts conducted in accordance with Code Section 20-2-160."

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SECTION 2.

30 All laws and parts of laws in conflict with this Act are repealed.